

### **III. REMARKS**

1. Claims 1, 9, and 12 are amended. Claims 1 and 9 are amended to address the 35 U.S.C. §112 rejection.

2. Reconsideration of the rejection of the claims is respectfully solicited in light of the following remarks. Claims 1-18 remain in the application. Applicant respectfully submits that claims 1-18 are patentable over Stern (US 5,935,249) under 35 U.S.C. §102(e).

Claim 1 recites that the interface unit is configured to transmit and receive data to and from an external unit, to transmit a signal to the external unit that indicates the attachment of the external unit to the network element, to initiate the downloading of the driver in response to a response signal sent from the external unit and to obtain from the external unit an address from which the driver is to be downloaded. Claim 1 also recites that the control means includes a driver configured to modify one or more commands received into a format required by the external unit. These features are not disclosed or suggested by Stern.

Stern discloses a system in which a host computer is provided with a Java Enabled Network Interface Device, that is, an interface device for brevity. The interface device connects the host computer to a network. The interface device comprises a Java Virtual Machine that further comprises a Java Processor and a non-volatile memory, for example, a flash memory or an EEPROM. The interface device has a host bus interface towards the local system bus of the host computer and a network interface towards the external network. The interface device also comprises a volatile memory, control logic and a carrier sense circuit. To the non-volatile memory within the Java Virtual Machine there may be loaded and installed serialized Java applets. Once installed the Java applets may listen on other TCP ports for other methods and altering object parameters. The Java Virtual Machine verifies that the serialized Java applets have valid digital signatures before they are installed for execution in the Java Virtual machine.

Generally, the Java applets may be used to control the functioning of the interface device and thereby the host computer. The Java applets may intercept incoming and outgoing packets in transit between the host bus and an external network node, modify contents in the packets and generate packets of their own to the host computer as if they were generated in a remote node and vice versa. The Java Virtual Machine acts as a proxy device between the host computer and the external network. The Java applets may be used for a variety of tasks. The Java applets may hold software license tokens on behalf of a remote licensing node in order to ensure service continuity should the network connection experience a temporary failure. Stern also discloses a management applet, which allows remote nodes to issue management requests to an interface device. Thereby, it is possible to manage host computers via their interface devices. The management requests may be related to the reducing of bandwidth for lower priority nodes in the situation where a higher priority node temporarily needs to send a batch of high bandwidth traffic. The management applets alter their network parameters in the interface device memory.

The passages cited by the Examiner relating to the system power on (Stern, column 13, rows 42-47 and column 13, rows 52-57) fail to teach the features claimed by Applicant. Stern fails to disclose that an external unit receives a signal that indicates the attachment of the external unit to the network element. Further, Stern does not disclose that the downloading of the driver is initiated in response to a response signal from the external unit, after the external unit receives the signal indicating it is attached to the network element. Stern also does not disclose or suggest that an interface unit obtains from the external unit the address from which the driver is to be downloaded.

Stern also fails to disclose a driver that is configured to modify one or more commands received into a format required by the external unit. There is no teaching in Stern, which would require the modifying of one or more commands received into a format required by an external unit.

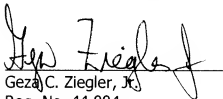
Claims 2, 6, 7 and 10 are not unpatentable over Stern under 35 U.S.C. §103(a) at least by reason of their respected dependencies.

Claims 17 and 18 are not unpatentable over Stern in view of Montgomery under 35 U.S.C. §103(a) at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of the RCE fee together with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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Date: 13 Feb 2007

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